

REGULAR CITY COUNCIL MEETING  
JUNE 10, 2002

PRESENT

Gayle Bunker  
Wesley Bloomfield  
Bruce Curtis  
Robert Droubay  
Margaret Dutson

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

Glen Swalberg  
Richard Waddingham

Council Member  
City Attorney

ALSO PRESENT

Gregory Jay Schafer  
Neil Forster  
Alan Riding  
Rita Byrd  
Judy Baker  
Ken Clark

City Recorder  
Public Works Director  
Asst. Public Works Director  
Public Works Secretary  
City Treasurer  
Public Works Employee

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting.

Council Member Margaret Dutson offered an invocation, after which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held May 13, 2002 were presented for consideration and approval. Following review, Council Member Robert Droubay MOVED to approve the minutes of the Public Hearing held May 13, 2002, as presented. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held May 13, 2002 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to

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approve the minutes of the Regular City Council Meeting held May 13, 2002, as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which was given to them two days prior to the meeting. Following review, Council Member Bruce Curtis MOVED to approve the accounts payable, dated May 13, 2002, in the amount of \$220,109.52. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

##### RATIFICATION OF DISPOSITION OF THIRTY FOOT WIDE PARCEL OF PROPERTY LOCATED IN BLOCK 75, DELTA TOWNSITE

Council Member Wesley Bloomfield MOVED to ratify the disposition of a thirty foot wide parcel of property located in Block 75, Delta Townsite, as approved at a Regular City Council Meeting held May 13, 2002. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

##### RATIFICATION OF ONE LOT SUBDIVISION LOCATED AT APPROXIMATELY 286 SOUTH 150 WEST (HUMPHRIES ONE LOT SUBDIVISION)

Council Member Robert Droubay MOVED to ratify the approval of a proposed one lot subdivision located at approximately 286 South 150 West (Humphries One Lot Subdivision) as approved at a Regular City Council Meeting held May 13, 2002. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

##### RECOMMENDATION FROM PLANNING & ZONING COMMISSION REGARDING ESTABLISHMENT OF DEFINITIONS AND RESTRICTION ON BILLBOARD ADVERTISING WITHIN DELTA CITY LIMITS.

Council Member Robert Droubay noted that each member of the Council had received a copy of the sign regulations recommended by the Planning & Zoning Commission. He noted that the Planning & Zoning Commission has asked for an opinion from City Attorney Richard Waddingham as to whether painting a sign on a building would be classified as a billboard. Council Member Droubay reviewed the recommendations of the Planning & Zoning Commission, which recommended size

restrictions for signs located in all residential, commercial, and industrial zones within Delta City, including recommendations for attached on-premises signs, detached on-premises signs, and off-premises signs.

Council Member Robert Droubay MOVED to set a public hearing on Monday, June 24, 2002 at 6:45 p.m. for the purpose of receiving public comment regarding a proposed amendment to the sign ordinance contained in the Delta City Zoning Ordinance, as recommended by the Delta City Planning & Zoning Commission. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### COUNCIL MEMBER WESLEY BLOOMFIELD: UPDATE ON PROPOSED SKATE PARK

Council Member Wesley Bloomfield advised the Council that a skate park committee has been formed; members of the committee include Kevin Morris, Mike Styler, Steve Draper, Max Wood, Jackie Nielson, Kelly Cloward, Dan Piacitelli, Keith Griffiths, Mayor Bunker, and Council Member Bloomfield. Council Member Bloomfield reported that the committee had met on May 30, 2002 to discuss possible sites for a skate park and had determined that the most favorable location would be the central City Park area. The committee also discussed funding for a skate park, including participation by Delta City, Millard County, CDBG funding, CIB funding, and possible Millard School District participation. The committee also discussed a timetable for the project, including selection of an architect by September, 2002; submission of grants and requests for other monies by October, 2002; finalization of park design by November, 2002; request bids for construction by January, 2003; selection of a contractor by February, 2003; and a construction beginning date of July, 2003.

In addition, committee assignments were made so that necessary information could be obtained prior to the next committee meeting. The committee set a goal of raising \$100,000, from various sources, to be used as matching funds for grants which may be received.

Council Member Bloomfield requested approval of the Council for the timetable outlined, permission to request bids for an architect in late summer, 2002, and approval of committee members previously named. Council Member Bloomfield told the Council that Millard County Commissioner Steve Draper had asked if Delta City would be willing to reduce the water rates at the Regional Park in consideration of funding which Millard County may provide toward construction of the skate park. The Council felt that it would be unfair to other water users to allow discounted rates for Millard County.

Council Member Robert Droubay MOVED to approve the tentative timetable outlined by Council Member Bloomfield, to approve hiring of an architect in late summer, 2002, to be prepared to request bids in January or February, 2003, and to approve the Skate Park Committee Members as previously named. The motion was SECONDED by Council Member Margaret Dutson. Mayor

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Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### NEW BUSINESS

#### PUBLIC WORKS DIRECTOR NEIL FORSTER: SELECTION OF AIRPORT ENGINEERING FIRM

Public Works Director Neil Forster reported that a selection committee had been formed, consisting of Mayor Bunker, Council Member Wesley Bloomfield, Council Member Glen Swalberg, City Attorney Richard Waddingham, Asst. Public Works Director Alan Riding, and Public Works Director Forster, which had interviewed two engineering firms and selected Airport Development Group to work as engineers on the airport project. Airport Development Group has been notified of Delta City's intent to hire their firm for engineering work and will be in Delta on Thursday, June 13, 2002 for the purpose of planning the scope of work to be performed and to begin the evaluation process. The FAA in Denver has been advised of the intent to use Airport Development Group and are pleased with the selection. Public Works Director Neil Forster requested approval of the Council to hire Airport Development Group as the engineering firm to work on the airport project.

Council Member Wesley Bloomfield MOVED to accept Airport Development Group, of Denver, Colorado, to act as consulting engineers on the airport improvements. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### MAYOR GAYLE BUNKER: SELECTION OF ENGINEERING FIRM FOR INTERLOCAL COOPERATIVE ORGANIZATION TO ADDRESS ARSENIC LEVELS IN DRINKING WATER AND INSTRUCTION OF ATTORNEYS TO PROCEED WITH CREATION OF INTERLOCAL COOPERATIVE ORGANIZATION

Mayor Bunker asked Public Works Director Forster to address this matter. Public Works Director Forster advised the Council that a meeting had been held with all of the entities that would be involved in forming a consortium, or district, to handle arsenic levels in local drinking water. The consortium, or district, would deal with providing drinking water to Delta City, Sherwood Shores, Country Estates, Hinckley Town, Deseret, Oasis, and the Christensen subdivision located near the airport. Representatives from all of the entities were in attendance, along with attorneys representing Delta City, Hinckley Town, and Deseret/Oasis Special Service District. The meeting involved in depth discussion of all matters pertaining to providing drinking water which will comply with EPA mandated maximum arsenic contamination levels, which go into effect in 2006. The discussion centered on the possibility of drilling new wells which will provide water that will be in compliance with those standards.

The result of the meeting was that a committee will be formed and attorneys were asked to begin to

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prepare a governing agreement. Public Works Director Forster requested approval of the Council to direct the attorneys to draft a governing agreement and, in addition, to select an engineering firm to begin research on the project. At present, Hinckley Town and Deseret/Oasis Special Service District have hired Sunrise Engineering to do arsenic research.

Council Member Wesley Bloomfield MOVED to approve instructing City Attorney Richard Waddingham and Attorney Warren Peterson, to proceed with drafting an interlocal agreement between Delta City, Hinckley Town, and Deseret/Oasis Special Service District and to approve hiring Sunrise Engineering to represent Delta City as design engineers in the planning and grant application phase to address the arsenic levels in the drinking water project. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Bruce Curtis asked how many individuals would be appointed to the governing board of the consortium, or district, to be formed by the three governmental agencies. Mayor Bunker indicated that it had been suggested that there would be six individuals appointed; two from Delta City, two from Hinckley Town, and two from Deseret/Oasis Special Service District. Deseret/Oasis Special Service District has approximately 150 water connections; Hinckley Town has approximately 240 water connections; Delta City has approximately 1,100 water connections. The Council felt that Delta City should have at least fifty percent (50%) of the vote; i.e., two representatives from Hinckley Town, one representative from Deseret/Oasis Special Service District and three representatives from Delta City, with an additional person appointed, possibly from the Rural Water Association, who would provide a tie breaker vote. Council Members agreed that Delta City should be given fifty percent of the vote on the governing body.

COUNCIL MEMBER BRUCE CURTIS: REQUEST FROM DELTA AREA CHAMBER OF COMMERCE FOR PAYMENT OF UTAH DEPARTMENT OF TRANSPORTATION PERMIT FEES FOR "WELCOME TO DELTA" SIGN

Council Member Bruce Curtis told the Council that, several years ago, the Delta Area Chamber of Commerce had erected "Welcome to Delta" signs along the highways entering Delta City. The Chamber of Commerce has received a billing from Utah Department of Transportation for a four year registration renewal of the signs, in the amount of \$100, and has requested that Delta City pay the renewal registration fee. Council Member Curtis also noted that the signs are in need of repainting or replacing, especially the one on the highway west of Delta.

Council Member Robert Droubay MOVED to pay the \$100 registration renewal fee to Utah Department of Transportation for the three "Welcome to Delta" signs and obtain estimates on the cost of replacing the three signs. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: ADOPTION OF DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2002-2003

Mayor Bunker noted that a public hearing had been held prior to this meeting with no negative comment being received regarding the proposed Delta City Final Budget for Fiscal Year 2002-2003. The budgeted use of unreserved forward fund balance in the General Fund is approximately 11%, which is well within State guidelines. The fiscal year 2002-2003 budget amounts to a total of \$3,327,080. Mayor Bunker distributed copies of the following Resolution:

RESOLUTION NO. 02-279

A RESOLUTION ADOPTING A FINAL BUDGET FOR THE CITY OF DELTA, UTAH FOR THE FISCAL YEAR BEGINNING JULY 1, 2002.

Council Member Wesley Bloomfield MOVED to approve Resolution No. 02-279, a resolution adopting a final budget for the City of Delta, Utah for the fiscal year beginning July 1, 2002. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Bruce Curtis	Yes
Robert Droubay	Yes
Margaret Dutson	Yes
Glen Swalberg	Absent

The motion passed unanimously.

ASST. PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST TO WRITE OFF UTILITY BILLING ACCOUNTS DETERMINED TO BE UNCOLLECTIBLE

Asst. Public Works Director Alan Riding requested approval of the Council to write off the utility billing accounts which have been determined to be uncollectible, in the total amount of \$2,588.93. Council Member Robert Droubay MOVED to consider the amount of \$2,588.93 as uncollectible and authorize the Public Works Department to write off those utility billing accounts determined to be uncollectible. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Asst. Public Works Director Alan Riding then called attention of the Council to a list of individuals who are currently living in Delta City, who have delinquent water/sewer accounts at one location, but are currently receiving water/sewer service at a different location. Current Delta City policy

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does not allow transfer of a delinquent balance from one location to be transferred to the same individual at a different location. Asst. Public Works Director Riding noted that current policy allows Delta City to collect a \$100 deposit, or landlord guarantee, from individuals who are renting but does not allow collection of a deposit from individuals who are purchasing the property where water/sewer service is to be provided. Asst. Public Works Director Riding requested that the Council consider an amendment to allow transfer of delinquent water/sewer accounts to the same individuals at different service locations. Public Works Director Forster noted that, at one time, one of the individuals listed on the delinquent account list had two past due accounts as well as an active account and, at one point, all three accounts were past due.

Mayor Bunker advised the Council that this matter was not on the agenda for action at this meeting but suggested that it be placed on the agenda for the next meeting to discuss what instructions should be given to City Attorney Waddingham for drafting a new utility account collection policy.

ASST. PUBLIC WORKS DIRECTOR ALAN RIDING: WATER SOURCE PROTECTION ORDINANCE

Mayor Bunker noted that, inasmuch as the Water Source Protection Ordinance was not received in time to distribute to the Council prior to the meeting, he suggested that this matter be placed on the agenda for the next meeting to allow time for Council Members to review the ordinance prior to taking action.

Council Member Wesley Bloomfield MOVED to table action on this matter until the next meeting of the City Council. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ASST. PUBLIC WORKS DIRECTOR ALAN RIDING: WATER BACKFLOW & CROSS CONNECTION ORDINANCE

Mayor Bunker noted that, inasmuch as this ordinance has not yet been received, this matter should be tabled and placed on the agenda for the next meeting of the City Council. Council Member Wesley Bloomfield MOVED to table action on this matter until the next meeting of the City Council. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ASST. PUBLIC WORKS DIRECTOR ALAN RIDING: WATER CONSERVATION RATE SCHEDULE

Asst. Public Works Director Riding noted that Council Members have each been given a copy of a Delta City water/sewer billing for July, 2001. He advised the Council that Delta City currently allows water users 8,000 gallons per month before overage charges are added. Asst. Public Works Director Riding questioned whether, considering current water conservation directives, that amount

should be reduced to 5,000 gallons per month. Asst. Public Works Director Riding advised the Council that 50% of Delta City water customers use less than 35,000 gallons per month at peak. Under the proposed water conservation schedule, the overage, from 5,000 gallons to 8,000 gallons, would cost \$1.50 per month. Approximately twenty of those customers would be affected by the \$1.50 overage charge. The next 25% of customers use less than 50,000 gallons per month at peak, which would result in an overage charge of \$3.00 per month. The next 12 ½% of customers use between 50,000 gallons and 75,000 gallons and they would see their overage rate double. There are six water customers who use over 200,000 gallons of water at the peak season.

Council Members reviewed the two proposed rate schedules presented by Asst. Public Works Director Riding and discussed possible adjustments to the schedules, as well as when and how to implement rate adjustments. Mayor Bunker suggested that Council Members think about the rate schedule proposals and be prepared to further discuss the matter at the next meeting of the Council.

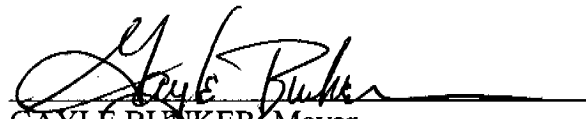
MAYOR GAYLE BUNKER: SELECTION OF GRAND MARSHALL FOR FOURTH OF JULY CELEBRATION


Mayor Bunker asked for input from the Council regarding the selection of a Grand Marshall for the Fourth of July celebration. Council Member Margaret Dutson MOVED to appoint Glen and Helen Swalberg to act as Grand Marshalls of the Delta City Fourth of July celebration for 2002. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 8:41 p.m.

  
GAYLE BUNKER, Mayor

  
GREGORY J. SCHAEFER, CMC, City Recorder

MINUTES APPROVED RCCM 07-08-02

